

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WASTE ACTION PROJECT,  
  
Plaintiff,

v.

NICHOLS TRANSPORTATION  
COMPANY, INC.,  
  
Defendant.

CASE NO. 3:24-cv-05673-MJP  
  
ORDER DENYING EXTENSION

This matter comes before the Court on the Parties' Joint Stipulated Motion to Extend Deadlines (Dkt. No. 15). Having reviewed the motion and the relevant record, the Court DENIES the Motion.

Rule 16 provides that a scheduling order "may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4); LCR 16(b)(6). "Rule 16(b)'s 'good cause' standard primarily considers the diligence of the party seeking the amendment." Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). "The district court may modify

1 the pretrial schedule ‘if it cannot reasonably be met despite the diligence of the party seeking the  
2 extension.’” Id. (citing Fed. R. Civ. P. 16 advisory committee’s notes (1983 amendment)). “Mere  
3 failure to complete discovery within the time allowed does not constitute good cause for an  
4 extension or continuance.” LCR 16(b)(6).

5 The Parties here have failed to demonstrate good cause to support their request. The  
6 Parties seek to extend “all pending deadlines in this case” by 90 days because they “need  
7 additional time to determine whether settlement discussions will be fruitful and prefer to direct  
8 their resources towards that effort.” (Mot. at 2.) The Court does not find this to constitute good  
9 cause. To the extent the Parties wish to engaged in settlement negotiations, they are free to do so  
10 at any time. The Court will not amend the case schedule for alternative dispute resolution.

11 For the reasons noted above, the Court DENIES the Motion. The Court’s denial is  
12 without prejudice to a renewed motion that addresses the Court’s concerns.

13 The clerk is ordered to provide copies of this order to all counsel.

14 Dated June 4, 2025.

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16 Marsha J. Pechman  
17 United States Senior District Judge  
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